



## HOUSE OF REPRESENTATIVES

### COMMITTEE ON CRIMINAL JUSTICE

REP. KARA HOPE

CHAIR

## COMMITTEE MEETING MINUTES

Tuesday, September 19, 2023      9:00 AM      Room 352, House Appropriations, State Capitol Building

The House Committee on Criminal Justice was called to order by Chair Hope.

The Chair requested attendance be called:

Present: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.

Absent: None.

Excused: None.

Representative Tsernoglou moved to adopt the meeting minutes from September 12, 2023. There being no objection, the motion prevailed by unanimous consent.

The House Committee on Criminal Justice met jointly with the Senate Committee on Civil Rights, Judiciary, and Public Safety.

The Chair laid HB 4630, HB 4631, HB 4632 and HB 4633 before the committee:

HB 4630 (Rep. Lightner)

A bill to amend 2013 PA 93, entitled "Michigan indigent defense commission act," by amending the title and sections 3, 5, 7, 9, 11, 13, 15, 17, 21, and 23 (MCL 780.983, 780.985, 780.987, 780.989, 780.991, 780.993, 780.995, 780.997, 780.1001, and 780.1003), section 3 as amended by 2019 PA 108, sections 5, 9, 11, 13, 15, and 17 as amended by 2018 PA 214, and section 7 as amended by 2018 PA 443.

HB 4631 (Rep. Lightner)

A bill to amend 1978 PA 620, entitled "Appellate defender act," by amending the title and sections 2, 4, 6, and 7 (MCL 780.712, 780.714, 780.716, and 780.717) and by adding sections 1a and 8a.

HB 4632 (Rep. Mueller)

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 117k.

HB 4633 (Rep. Breen)

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 2d, 2f, and 4 of chapter XIIA (MCL 712A.2d, 712A.2f, and 712A.4), section 2d as amended by 2020 PA 389, section 2f as added by 2016 PA 185, and section 4 as amended by 1996 PA 409.

Representative Lightner, Representative Mueller, Senator Shink, Jonathan Sacks and Brad Hall, both representing the State Appellate Defender Office, testified in support of HB 4630, HB 4631, HB 4632 and HB 4633. Questions and discussion followed.

Marcela Westrate, representing the Michigan Indigent Defense Commission, testified in support of HB 4630. Questions and discussion followed.

Samantha Gibson, representing the Michigan Association of Counties, testified in support of HB 4630. Questions and discussion followed.

The following people submitted a card in support of HB 4630, HB 4631, HB 4632 and HB 4633, but did not wish to speak:

Jen Peacock, representing the Michigan Center for Youth Justice.

Aaron Van Langevelde, representing the Michigan Department of Attorney General.

Gabrielle Dresner, representing the ACLU of Michigan.

Tom Hickson, representing the Michigan Catholic Conference.

Samantha Gibson, representing the Michigan Association of Counties.

Trevor VanDyke, representing the State Court Administrative Office.

The following person submitted a card in support of HB 4630 and HB 4631, but did not wish to speak:

Nathan Triplett, representing the State Bar of Michigan.

The following person submitted a card in support of HB 4632 and HB 4633, but did not wish to speak:

Chardae Burton, representing the Michigan Department of Health and Human Services.

The following person submitted a card in support of HB 4630, but did not wish to speak:

Paige Fults, representing the Michigan Department of Licensing and Regulatory Affairs.

At 9:33 AM, the Chair laid the committee at ease.

At 9:34 AM, the Chair called the committee back to order.

The Chair laid HB 4634, HB 4635, HB 4637, HB 4638, HB 4639, HB 4640, HB 4641, HB 4642, HB 4643 and HB 4636 before the committee:

HB 4634 (Rep. Hope)

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 2f, 18, 28,

and 29 (MCL 712A.2f, 712A.18, 712A.28, and 712A.29), section 2f as added by 2016 PA 185, section 18 as amended by 2022 PA 209, section 28 as amended by 2020 PA 362, and section 29 as amended by 2003 PA 74, and by adding section 29a to chapter XIIA; and to repeal acts and parts of acts.

HB 4635 (Rep. Andrews)

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 2018 PA 310.

HB 4636 (Rep. Dievendorf)

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4803 (MCL 600.4803), as amended by 1996 PA 374.

HB 4638 (Rep. Hoskins)

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending the title and sections 1, 2, 3, 4, 5, 5a, 6, 7, 8, 9, 10, 11, and 12 (MCL 722.921, 722.922, 722.923, 722.924, 722.925, 722.925a, 722.926, 722.927, 722.928, 722.929, 722.930, 722.931, and 722.932), the title and sections 3, 5, and 11 as amended by 2004 PA 560, sections 2 and 6 as amended by 2020 PA 186, sections 4 and 10 as amended by 2014 PA 243, section 5a as amended by 2014 PA 455, sections 7 and 8 as amended by 2013 PA 38, and section 9 as amended by 2020 PA 185.

HB 4639 (Rep. Edwards)

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 115m (MCL 400.115m), as amended by 2014 PA 308.

HB 4640 (Rep. Wilson)

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 67 and 68 of chapter X and section 19b of chapter XIIA (MCL 710.67, 710.68, and 712A.19b), section 67 of chapter X as amended by 1994 PA 373, section 68 of chapter X as amended by 2012 PA 385, and section 19b of chapter XIIA as amended by 2018 PA 58.

HB 4641 (Rep. Arbit)

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5a and 10 (MCL 722.115a and

722.120), section 5a as added by 1994 PA 205 and section 10 as amended by 2022 PA 69.

HB 4642 (Rep. Grant)

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 7, 7b, and 7k (MCL 722.627, 722.627b, and 722.627k), section 7 as amended by 2022 PA 68, section 7b as amended by 2011 PA 89, and section 7k as added by 2011 PA 67.

HB 4643 (Rep. McKinney)

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending sections 5, 8a, 8b, and 8d (MCL 722.955, 722.958a, 722.958b, and 722.958d), section 8a as added by 2014 PA 524, section 8b as added by 2018 PA 489, and section 8d as added by 2018 PA 632.

The following people submitted a card in support of HB 4634, HB 4635, HB 4636, HB 4637, HB 4638, HB 4639, HB 4640, HB 4641, HB 4642, and HB 4643 and, but did not wish to speak:

Trevor VanDyke, representing the State Court Administrative Office.

Aaron Van Langevelde, representing the Michigan Department of Attorney General.

Toom Hickson, representing the Michigan Catholic Conference.

Gabrielle Dresner, representing the ACLU of Michigan.

The following person submitted a card in support of HB 4634, HB 4635 and HB 4636, but did not wish to speak:

Samantha Gibson, representing the Michigan Association of Counties.

The following person submitted a card in support of HB 4634 and HB 4635, but did not wish to speak:

Chardae Burton, representing the Michigan Department of Health and Human Services.

The following people submitted a card in support of HB 4634, HB 4635, HB 4636, and HB 4637, but did not wish to speak:

Nathan Triplett, representing the State Bar of Michigan.

Representative Andrews moved to adopt substitute (H-3) to HB 4634. The motion prevailed 13-0-0:

#### FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.

Nays: None.

Pass: None.

Representative Breen moved to report out HB 4634 with recommendation, as substitute (H-3). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.  
Nays: None.  
Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Young moved to adopt substitute (H-1) to HB 4635. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.  
Nays: Reps. Filler, Mueller, Bezotte, Harris, BeGole.  
Pass: None.

Representative Arbit moved to report out HB 4635 with recommendation, as substitute (H-1). The motion prevailed 8-3-2:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.  
Nays: Reps. Mueller, Bezotte, BeGole.  
Pass: Reps. Filler, Harris.

Representative Tyrone Carter moved to adopt substitute (H-1) to HB 4636. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.  
Nays: None.  
Pass: None.

Representative Dievendorf moved to report out HB 4636 with recommendation, as substitute (H-1). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.  
Nays: None.  
Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Tsernoglou moved to adopt substitute (H-1) to HB 4637. The motion prevailed 10-0-3:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Harris.  
Nays: None.

Pass: Reps. Mueller, Bezotte, BeGole.

Representative Andrews moved to report out HB 4637 with recommendation, as substitute (H-1). The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Pass: None.

Representative Tyrone Carter moved to adopt substitute (H-1) to HB 4638. The motion prevailed 12-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris.

Nays: None.

Pass: Rep. BeGole.

Representative Breen moved to report out HB 4638 with recommendation, as substitute (H-1). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Young moved to report out HB 4639 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.

Nays: None.

Pass: None.

Representative Arbit moved to report out HB 4640 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.

Nays: None.

Pass: None.

Representative Dievendorf moved to report out HB 4641 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.

Nays: None.

Pass: None.

Representative Tsernoglou moved to report out HB 4642 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.

Nays: None.

Pass: None.

Representative Andrews moved to report out HB 4643 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.

Nays: None.

Pass: None.

There being no further business before the committee, Chair Hope adjourned the meeting at 9:46 AM.

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Representative Kara Hope, Chair

Melissa Sweet  
Committee Clerk  
msweet@house.mi.gov